NOV 2. 8 2005

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 00033.03CON

SERIAL NO. 10/766,634

ist of Information Cited by Applicant

Rabinowitz, et al.

APPLICANT

GROUP

Page 1 of 3

FILING DATE 1616 January 27, 2004

| | U.S. PATENT DOCUMENTS | | | | | | | |
|--|-----------------------|--------------------|------------|----------------|-----|-------------|--------------|--|
| EXAM. INIȚIAL | | DOCUMENT NUMBER | DATE | NAME | CLS | SUB- CLS | FILE DATE | |
| 1// | AA | 10/057,198 | 10/26/2001 | Lloyd et al. | | | | |
| 1 | AB | 10/146,088 | 05/13/2002 | Hale et al. | | | | |
| | AC | 10/280,315 | 10/25/2002 | Shen | | | | |
| | AD | 10/302,614 | 11/21/2002 | Lu | | | | |
| | AE | 10/322,227 | 12/17/2002 | Novack et al. | | | | |
| | AF | 10/442,385 | 05/20/2003 | Cross et al. | | | | |
| | AG | 10/719,540 | 11/20/2003 | Hale et al. | | | | |
| | AH | 10/850,895 | 05/20/2004 | Damani et al. | | | | |
| | Al | 10/851,018 | 05/20/2004 | Hale et al. | | | | |
| | AJ | 10/851,429 | 05/20/2004 | Hale et al. | | | | |
| | AK | 10/851,432 | 05/20/2004 | Hale et al. | | | | |
| | AL | 10/851,883 | 05/20/2004 | Hale et al. | | | | |
| | AM | 10/861,554 | 06/03/2004 | Cross et al. | | | | |
| | AN | 10/912,417 | 08/04/2004 | Bennett et al. | | | | |
| - | AO | 10/917,720 | 08/12/2004 | Hale et al. | | | | |
| 77/ | AP | 10/917,735 | 08/12/2004 | Hale et al. | | | | |

| | | | FOREIGN PATEN | T DOCUMENTS | | | |
|------------------|----|--------------------|---------------|---------------|-----|------------|-------|
| EXAM. INIŢIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLS | SUB CLS | TRANS |
| 711 | AQ | GB 502 761 | 03/24/1939 | Great Britain | | | |
| 1 | AR | WO 94/09842 | 05/11/1994 | WIPO | | | |
| | AS | WO 97/36574 | 10/09/1997 | WIPO | | | |
| N | AT | WO 03/37412 | 05/08/2003 | WIPO | | | |

| | | OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |
|-----------|------------|---|
| M | AU | Office Action mailed 12/04/03 for US App. No. 10/057,198 filed 10/26/01, "Method And Device For Delivering A Physiologically Active Compound" |
| | AV | Office Action mailed 01/12/05 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method" |
| | AW | Office Action mailed 06/03/04 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method" |
| | AX | Office Action mailed 12/15/03 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method" |
| M | AY | Office Action mailed 02/27/04 for US App. No. 10/146,080 filed 05/13/02, "Aerosol Forming Device For Use In Inhalation Therapy" |
| EXAMINE | ₹ . | DATE CONSIDERED /2/7/05 |
| *EVANADIE | D. Initial | if processes considered, whether or not citation is in conformance with MPEP 600. Draw line through citation if not in |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK

OFFICE

List of Information Cited by Applicant
Page 2 of 3

| SERIAL NO. | |
|------------|---------------------|
| 10/766,634 | |
| | |
| | |
| GROUP | |
| 1616 | |
| | 10/766,634 GROUP |

| EXAM. NITIAL | | DOCUMENT NUMBER | DATE | NAME | | CLS | SUB- CLS | FILE |
|-----------------|-----|--------------------|------------|------------------|---|-----|-------------|------|
| 111 | ВА | 3,219,533 | 11/23/1965 | Mullins | | 1 | | |
| T T | ВВ | 3,949,743 | 04/13/1976 | Shanbrom | | | | |
| | вс | 3,982,095 | 09/21/1976 | Robinson | | | | |
| 1 | 8D | 4,141,369 | 02/27/1979 | Burruss | | | | |
| | BE | 4,303,083 | 12/01/1981 | Burruss, Jr. | | | | |
| | BF | 4,474,191 | 10/02/1984 | Steiner | | | | |
| | BG | 4,484,576 | 11/27/1984 | Albarda | | | | |
| | вн | 4,566,451 | 01/28/1986 | Badewien | | | | |
| 1 | Bí | 4,708,151 | 11/24/1987 | Shelar | | | | |
| | BJ | 4,734,560 | 03/29/1988 | Bowen | | | | |
| | вк | 4,735,217 | 04/05/1988 | Gerth et al. | | | | |
| | BL | 4,819,665 | 04/11/1989 | Roberts et al. | | | | |
| | BM | 4,848,374 | 07/18/1989 | Chard et al. | | | | |
| | BN | 4,853,517 | 08/01/1989 | Bowen et al. | | | | |
| | во | 4,906,417 | 03/06/1990 | Gentry | | | | |
| | ВР | 4,917,119 | 04/17/1990 | Potter et al. | | | | |
| | BQ | 4,924,883 | 05/15/1990 | Perfetti et al. | | | | |
| | BR | 4,941,483 | 07/17/1990 | Ridings et al. | | | | |
| | BS | 4,963,289 | 10/16/1990 | Ortiz et al. | | | | |
| | ВТ | 5,042,509 | 08/27/1991 | Banerjee et al. | | | | |
| | BU | 5,060,671 | 10/29/1991 | Counts et al. | | | | |
| | BV | 5,135,009 | 08/04/1992 | Muller et al. | | | | |
| 1 | BW | 5,144,962 | 09/08/1992 | Counts et al. | | | | |
| | вх | 5,146,915 | 09/15/1992 | Montgomery | | | | |
| | BY | 5,224,498 | 07/06/1993 | Deevi et al. | | | | |
| | BZ | 5,345,951 | 09/13/1994 | Serrano et al. | T | | | |
| | BAA | 5,366,770 | 11/22/1994 | Wang | | | | |
| | BBB | 5,456,247 | 10/10/1995 | Shilling et al. | | | | |
| | всс | 5,511,726 | 04/30/1996 | Greenspan et al. | | | | |
| | BDD | 5,564,442 | 10/15/1996 | MacDonald et al. | | | | |
| | BEE | 5,592,934 | 01/14/1997 | Thwaites | | | | |
| VV | BFF | 5,605,146 | 02/25/1997 | Sarela | | T | T | |

*EXAMINER: Initial if reference considered, whether or not citation is in-conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

List of Information Cited by Applicant
Page 3 of 3

| ATTY. DOCKET NO. | SERIAL NO. | |
|--------------------|------------|--|
| 00033.03CON | 10/766,634 | |
| APPLICANT | | |
| Rabinowitz, et al. | | |
| FILING DATE | GROUP | |
| January 27, 2004 | 1616 | |

| EXAM. INIȚIAL | | DOCUMENT NUMBER | DATE | NAME | CLS | SUB- CLS | FILE |
|--------------------|-----|--------------------|------------|-----------------|-----|-------------|------|
| /// | CA | 5,649,554 | 07/22/1997 | Sprinkel et al. | | | |
| , , , _ | СВ | 5,666,977 | 09/16/1997 | Higgins et al. | | | |
| 1 | СС | 5,743,251 | 04/28/1998 | Howell et al. | | | |
| | CD | 5,819,756 | 10/13/1998 | Mielordt | | | |
| | CE | 5,840,246 | 11/24/1998 | Hammons et al. | | | |
| | CF | 5,855,913 | 01/05/1999 | Hanes et al. | | | |
| | CG | 5,874,481 | 02/23/1999 | Weers et al. | | | |
| | СН | 5,894,841 | 04/20/1999 | Voges | | | |
| | CI | 5,918,595 | 07/06/1999 | Olsson et al. | | | |
| | Cı | 6,090,212 | 07/18/2000 | Mahawili | | | |
| | СК | 6,095,134 | 08/01/2000 | Sievers et al. | | | |
| | CL | 6,131,570 | 10/17/2000 | Schuster et al. | | | |
| | СМ | 6,136,295 | 10/24/2000 | Edwards et al. | | | |
| | CN | . 6,155,268 | 12/05/2000 | Takeuchi | | | |
| | со | 6,158,431 | 12/12/2000 | Poole | | | |
| 7 | CP | 6,234,167 | 05/22/2001 | Cox et al. | | | |
| 7 | CQ | 6,632,047 | 10/14/2003 | Vinegar et al. | | | |
| | CR | 6,701,922 | 03/09/2004 | Hindle et al. | 1 | | |
| | cs | 6,772,756 | 08/10/2004 | Shayan | | | |
| | СТ | 2002/0117175 | 08/29/2002 | Kottayil et al. | | | |
| M | CU | 2004/0016427 | 01/29/2004 | Byron et al. | | | |
| | CV | | | | | | |
| | cw | | | | | | |
| | CV | | | | | | |
| · | CY | | | | | | |
| | cz | | | | | | |
| | CAA | | | | | | |
| | СВВ | | | | | | |
| - | ccc | | | | | | |
| | CDD | | | | | | ÷ |
| | CEE | • | | | | | |
| | CPF | | · 0 | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.